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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
9

10 **AARON DAVIS,**

1: 05 CIV F 0271 REC DLB

11 **Plaintiff,**

12 **vs.**

**ORDER DIRECTING PLAINTIFF TO
SUBMIT USM 285 FORMS**

13 **RON FOSTER, et al.,**

14 **Defendants.**
15 _____/

16 Plaintiff is proceeding pro se and has requested leave to proceed in forma pauperis
17 pursuant to 28 U.S.C. § 1915.

18 Plaintiff has submitted a declaration that makes the showing required by § 1915(a).
19 Accordingly, the request to proceed in forma pauperis IS HEREBY GRANTED.

20 The Amended Complaint filed June 15, 2005 appears to state cognizable claims for relief
21 against defendants Foster, Bettencourt and Foster Farms Dairy. Accordingly, IT IS HEREBY
22 ORDERED that:

23 1. Service is appropriate for the following defendants: Foster, Bettencourt, and Foster
24 Farms Dairy.

25 2. The Clerk of the Court shall send plaintiff three (3) USM-285 forms, (3) summons, an

1 instruction sheet and a copy of the amended complaint filed June 15, 2005.

2 3. Within fifteen days from the date of this order, plaintiff shall complete the attached
3 Notice of Submission of Documents and submit the completed Notice to the court with the
4 following documents:

5 a. Completed summons;

6 b. One completed USM-285 form for each defendant listed above; and

7 c. Four copies of the endorsed amended complaint filed June 15, 2005.

8 4. Plaintiff need not attempt service on defendants and need not request waiver of
9 service. Upon receipt of the above-described documents, the court will direct the United States
10 Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4
11 without payment of costs.

12 5. Plaintiff's failure to comply with this order may result in sanctions, including
13 dismissal of this action. Local Rule 11-110.

14
15 IT IS SO ORDERED.

16 **Dated: October 25, 2005**
17 3c0hj8

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE